

# House File 498 - Reprinted

HOUSE FILE 498  
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 180)

(As Amended and Passed by the House March 8, 2021)

## A BILL FOR

- 1 An Act relating to the practices of performing rights
- 2 societies.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 549.3, subsection 1, Code 2021, is  
2 amended to read as follows:

3 1. A performing rights society shall not enter onto the  
4 business premises of a proprietor for the purpose of discussing  
5 a contract for the payment of royalties for the public  
6 performance of copyrighted musical works by the proprietor,  
7 ~~unless the performing rights society identifies itself to~~  
8 ~~the proprietor and describes to the proprietor the purpose~~  
9 ~~for entering onto the proprietor's business premises the~~  
10 performing rights society first uses its best efforts to make  
11 an appointment to meet with the proprietor at the business  
12 premises during normal business hours, or if the proprietor  
13 or the proprietor's agent agree, at a location other than the  
14 business premises or at the business premises when the business  
15 premises are not open to the public. Upon entering onto the  
16 business premises for the purpose of discussing a contract  
17 for the payment of royalties for the public performance of  
18 copyrighted musical works by the proprietor, the performing  
19 rights society shall clearly identify itself to the proprietor  
20 and describe to the proprietor the purpose for entering onto  
21 the business premises.

22 Sec. 2. Section 549.5, Code 2021, is amended to read as  
23 follows:

24 **549.5 Improper licensing practices.**

25 A performing rights society shall not do any of the  
26 following:

27 1. A performing rights society shall not collect, Collect  
28 or attempt to collect, from a proprietor licensed by that  
29 performing rights society, a royalty payment except as provided  
30 in a contract executed pursuant to the provisions of this  
31 chapter.

32 2. Make a misleading or threatening verbal or written  
33 communication to a proprietor in connection with a contract for  
34 the payment of royalties or an attempt to collect royalties.

35 3. State or imply in a verbal or written communication with

1 a proprietor that the performing rights society is an agent  
2 or representative of a public body, regulatory agency, or law  
3 enforcement agency.